INTERNAL AFFAIRS BUREAU
INVESTIGATIVE SUMMARY
USE OF FORCE - FRACTURED LEFT ORBITAL
IAB #FO2222396

FILE#: 508-11164-2812-050
DATE / TIME: Wednesday, June 18, 2008, 2350 hours
LOCATION: [redacted] North Slater Avenue, Compton, California, 90220
SUSPECT: Willie Lamar Brown, MB/26, Booking #1515534
PERSONNEL: Deputy Scott Lawler, [redacted], 287H - Em's
Deputy [redacted], [redacted], 287H - Em's
Deputy Keith French, [redacted], 281E - Em's

On June 19, 2008, the Internal Affairs Bureau's Force and Shooting Response Team responded to Compton Station in regards to a significant use of force, a fractured orbital. The team consisted of Lieutenant Clay Porlier and Sergeants [redacted] and Dinah Grote. Mr. [redacted] of the Office of Independent Review was also advised of the incident.

When investigators arrived at Compton Station, they learned that Deputies Lawler, [redacted], and French were involved in a struggle with Suspect Brown the previous night (June 18, 2008). The struggle resulted in the use of force, in which Suspect Brown sustained a fractured left orbital. The discovery of Suspect Brown's fracture was not discovered until he was examined by medical staff from St. Francis Hospital in the early morning hours on the following day (June 19, 2008).

USE OF FORCE:

Compton Station Deputies, Scott Lawler and [redacted] (Unit 287H), responded Code 3 to a domestic violence now call. Deputy Keith French (Unit 281), who had the handle, arrived shortly after Deputies [redacted] and Lawler. Upon making contact with Informant [redacted] in front of the residence, the deputies learned that Ms. [redacted] saw Suspect Brown choke and punch her [redacted] ([redacted]), which is Suspect Brown's [redacted]. Ms. [redacted] attempted to assist her [redacted], but Suspect Brown punched her. Ms. [redacted] told Suspect Brown that she was calling the police. Both Suspect Brown and her [redacted], [redacted], entered the residence prior to the deputies' arrival. Deputies were also told the suspect and Ms. [redacted] have a child together.

Deputies Lawler and French knocked on the front door as Deputy [redacted] stood near the back door. After several knocks, Ms. [redacted] exited the residence via the back door.

> **IAB Note:** Although the residence has a front door, there was no access in or out due to a sofa and other heavy furniture which was placed across the interior threshold to the front door. Access, either in or out, is gained via the back door.

Upon entering the house, the deputies walked through the kitchen and saw a small child and girl (Witness [redacted]) at the table. Continuing through the living room to the hallway and into the bedrooms, the deputies did not locate Suspect Brown. While standing in the hallway, they saw pieces of the "popcorn" type ceiling application on the carpeted floor below the ceiling attic access cover. After several call-outs to the suspect, Suspect Brown complied with their orders stating he was going to come down, as Witness [redacted] exited the kitchen through the back door.

Deputy Lawler stood in the living room door threshold to the hallway, below the ceiling attic. Deputy [redacted] stood in the middle of the hallway to Deputy Lawler's left side, while Deputy French stood in the bedroom door threshold facing Deputy Lawler. Suspect Brown opened the cover, dropped his feet down and held onto the ledge while he lowered himself down to the floor, facing Deputy [redacted]. Deputy Lawler immediately grabbed Suspect Brown's left hand to search his person. As Lawler reached for Suspect Brown's right hand, Brown pulled away from his grasp, turned toward Deputy Lawler, then punched Deputy Lawler in the chest area one time with his right fist.

Deputy French, who stood behind the suspect, saw the suspect punch Deputy Lawler, so Deputy French punched the left side of Suspect Brown's face one time with his left fist. Suspect Brown started to wildly swing his fists at Deputy [redacted]. Stepping backward to avoid being punched by Suspect Brown, Deputy [redacted] punched Suspect Brown two to three times to the left side of his face with his right fist. This had no effect on Suspect Brown as he continued to wildly swing his fists. Deputy [redacted] grabbed his handheld radio and requested emergency traffic, advising Sheriff's Communication Center (SCC) that deputies were involved in a fight.

As the radio traffic went out, Deputy Lawler, now standing behind Suspect Brown, grabbed Suspect Brown around his waistline and went forward to the floor. They both landed face down with their upper torsos inside the bedroom and their legs partially in the hallway. Suspect Brown's hands were tucked under his body. Deputy French moved into the bedroom and stood near their upper torso area. Deputy Lawler gave Suspect Brown commands to give up his hands, but Suspect Brown refused to do so as he attempted to push upward with his hands. Fearing the suspect was trying to get up, Deputy Lawler punched the right side of Suspect Brown's face three times with his right fist. The punches had no effect on Suspect Brown because he wrapped his arms around Deputy French's legs while trying to pull himself up.

After putting out the emergent radio traffic, Deputy [redacted] turned back and saw Deputy Lawler and Suspect Brown on the ground. Deputy French stood inside the bedroom near their upper torso area when he saw Suspect Brown push up off the ground, then grabbed onto Deputy French's legs. Believing that Suspect Brown was trying to pull down Deputy French and refusing their commands to release his grasp on French, Deputy [redacted], standing in the hallway at the bedroom door threshold, gave three quick kicks to Suspect Brown's right side stomach area using his lower right leg. Simultaneously, Deputy French kneed Suspect Brown's facial area two times with his left knee and Deputy Lawler punched

Suspect Brown one time to the left side of his face with his right fist. All of these strikes were effective because Suspect Brown stopped resisting and gave up his hands where he was handcuffed without further incident.

After putting out a Code 4 via radio, and waiting for assisting units to arrive, Suspect Brown was taken outside and placed inside a patrol. Field Sergeant Eric Castano arrived and began his force investigation.

Suspect Brown was transported to St. Francis Hospital for medical treatment and it was later learned he had sustained a fractured left orbital.

> **IAB Note:** After the incident, it was later learned that for personal reasons, Deputy [redacted] took two pictures of Suspect Brown with the use of his cellular phone. Refer to ***Exhibit L*** for the pictures taken of Suspect Brown.

For further information, refer to the Incident and Supplemental Reports by involved Deputies French, Lawler and [redacted] (***Exhibits A, B and C***), and Supplemental Reports by Deputies Theodore Woodard and Jose Aguirre regarding victim statements and an "okay to book" (***Exhibits D, F, and G***).

INVOLVED PERSONNEL:

LAWLER, Scott M.
Deputy Sheriff, Employee #[redacted]
Field Operations - Region II
Compton Station - Patrol Deputy

[redacted] [redacted]
Deputy Sheriff, Employee #[redacted]
Field Operations - Region II
Compton Station - Patrol Deputy

FRENCH, Keith A.
Deputy Sheriff, Employee #[redacted]
Field Operations - Region II
Compton Station - Patrol Deputy

EMPLOYEE WORK HISTORY:

LAWLER, Scott
Date of Employment:
Date assigned to Patrol:
Completed Patrol Training:
Prior Shooting Incident(s):
Prior Founded Force Incident(s):



Date of Employment:
Date assigned to Patrol:
Completed Patrol Training:
Prior Shooting Incident(s):
Prior Founded Force Incident(s):

FRENCH, Keith
Date of Employment:
Date assigned to Patrol:
Completed Patrol Training:
Prior Shooting Incident(s):
Prior Founded Force Incident(s):

SUSPECT INFORMATION:
BROWN, Willie Lamar, MB/26, DOB: 05-30-1982, 5'11", 165 pounds. He was arrested at the scene of the incident for Domestic Violence (273.5(a) PC), Battery on a Person (242 PC), and Battery on a Peace Officer (243b PC).

Booking #1515534, C.I.I. #, Main #, FBI #

EMPLOYEE WITNESS:
CASTANO, Eric
Sergeant, Employee #
Field Operations - Region II
Compton Station - Field Sergeant - Em Shift

CIVILIAN WITNESSES:
, FB/16,

, FB/20,

INJURIES:
Suspect Brown sustained a fractured left orbital, swollen right and left eye, minor abrasions and scratches on his left and right shoulders and back area. He complained of pain to his head, the right side of stomach, and to both legs.

For further, refer to a copy of Suspect Brown's medical records (***Exhibit I***), and photos of his injuries (***Exhibits H and L***).

No deputy personnel were injured in this incident.

PHYSICAL EVIDENCE:
There was no physical evidence recovered at the scene.

INVESTIGATORS OBSERVATIONS:
The scene was not held by the personnel from Compton Station as the Mandatory Notification to IAB was not made until several hours after the incident when they learned of Suspect Brown's fractured left orbital.

IAB Sergeants [redacted] and Dinah Grote went to the force location the next morning (June 19, 2008). With the approval of the resident, [redacted] (DOB: [redacted]), photographs were taken of the location. Refer to ***Exhibit E***.

WEAPONS USED BY DEPUTY PERSONNEL:
After being punched by Suspect Brown, Deputy Lawler conducted a takedown of the suspect. When Suspect Brown attempted to raise up off the ground, Deputy Lawler punched him three times to the facial area. Suspect Brown grabbed onto Deputy French's legs, so Deputy Lawler punched the suspect one time to the face.

After Suspect Brown attempted to hit Deputy [redacted], Deputy [redacted] punched Suspect Brown two to three times to the left side of his face with his right fist. When the suspect grabbed onto Deputy French's legs, believing the suspect was going to take Deputy French to the ground, Deputy [redacted] kicked the suspect two to three times to his right side/torso area with his right foot.

When Suspect Brown punched Deputy Lawler, Deputy French punched Suspect Brown one time to the left side of his face with his left hand. Suspect Brown grabbed onto Deputy French's legs, so Deputy French kneed the suspect in the facial area two to three times with his left knee.

WEAPONS USED BY THE SUSPECT:
Suspect Brown punched Deputy Lawler in the chest area one time. He attempted to punch Deputy [redacted], then swung his fists wildly at the deputies. He resisted by attempting to raise up off the ground and refusing to give up his hands for handcuffing. After being punched, kneed, and kicked, the suspect was handcuffed by all three deputies.

PROPERTY DAMAGE:
There was no property damage during the fight with deputies.

CRIMINAL INVESTIGATION CHARGES:

Investigator's Name:	Compton Station Detective Nader Chahine, #
Court:	Compton
Charges Filed:	273.5(a) PC, 242(a) PC, and 242(b) PC.
D.A. Case Number:	8CP05714

On June 23, 2008, Deputy District Attorney Schorr filed the above charges against Suspect Brown. For further, refer to the DA's filing Complaint listed under ***Exhibit J***. On July 14, 2008, Suspect Brown pled "nolo contendere" to domestic violence. He was sentenced to 180 days in county jail and placed on summary probation for 36 months. The charges of battery were dismissed. Refer to the copy of the court minutes, presented as ***Exhibit K***.

LIGHTING AND WEATHER CONDITIONS:

The interior of the residence was illuminated with overhead lighting.

INVOLVED EMPLOYEE'S STATEMENTS:

*The following involved deputies were interviewed during the investigation. Precise wording may be obtained by reviewing the digitally audio taped interview and/or the verbatim transcripts listed under the "**Transcriptions**" section.*

Deputy Scott Lawler *was interviewed by IAB Sergeants Dinah Grote and John Harris on September 3, 2008, at 1515 hours, at the IAB Commerce office. He was represented by Bonnie Lane from the Law Offices of Green & Shinee.* For further, refer to Deputy Lawler's verbatim transcript and his supplemental report, presented as ***Exhibit B***.

Deputy *was interviewed by IAB Sergeants Dinah Grote and John Harris on September 3, 2008, at 1410 hours, at the IAB Commerce office. He was represented by Bonnie Lane from the Law Offices of Green & Shinee.* For further, refer to Deputy 's verbatim transcript and his supplemental report, presented as ***Exhibit C***.

Deputy Keith French *was interviewed by IAB Sergeants Dinah Grote and John Harris on September 3, 2008, at 1254 hours, at the IAB Commerce office. He was represented by Bonnie Lane from the Law Offices of Green & Shinee.* For further, refer to Deputy French's verbatim transcript and incident report, presented as ***Exhibit A.***

EMPLOYEE WITNESS STATEMENTS:

Sergeant Eric Castano was telephonically interviewed on September 4, 2008, at 1555 hours by IAB Sergeant Dinah Grote. The interview was summarized and precise wording of that interview may be obtained by reviewing the digitally audio taped interview located in IAB's audio tracking files.

Sergeant Castano responded to the deputies' "10-33" radio traffic. Arriving approximately two minutes later, he saw Deputies , Lawler, and French outside the residence. The suspect was detained in the back seat of a patrol car. At that point, numerous family members and neighbors of the suspect were out on the street yelling and being

uncooperative toward deputy personnel. Because of that, Sergeant Castano said that Sergeant John Hanson had taken out the TASER, removed the cartridge, then activated/sparked it at the crowd, which proved to be effective in gaining compliance with the unruly crowd.

Sergeant Castano interviewed Suspect Brown, who admitted taking a tablet of "ecstasy" approximately one hour prior to his contact with the deputies. The "ecstasy" caused him to not think clearly and gave him "hot flashes." Suspect Brown denied being uncooperative with the deputies or assaulting them.

CIVILIAN WITNESSES STATEMENTS:

The following witnesses were identified and interviewed during the investigation. The interviews were summarized and precise wording of those interviews may be obtained by reviewing the digitally audio taped interviews located in IAB's audio tracking files.

[redacted] said her [redacted], Suspect Brown, and his [redacted] ([redacted]) were arguing in the middle of the street in front of her residence. Her [redacted] ([redacted] telephoned the police while Suspect Brown went back into the house and hid in the hallway attic. Miss [redacted] was seated at the kitchen table holding her one-year-old niece and watching television when three deputies entered her residence from the back door and called out for Suspect Brown. The deputies then saw ceiling "popcorn" laying on the carpet below the attic, so one deputy (Deputy [redacted]) went back outside and spoke to [redacted] who told Deputy [redacted] that Suspect Brown was in the attic.

Miss [redacted] was still seated at the kitchen table as the deputies told Suspect Brown to come down from the attic, as two deputies pulled out their batons and Oleoresin Capsicum (OC) spray. While walking out the back door, Miss [redacted] heard a struggle and Suspect Brown was yelling out, so she believed the deputies were hitting Suspect Brown. She did not witness any force being used by either the deputies or Suspect Brown.

Ms. [redacted] is the [redacted] to Suspect Brown and Miss [redacted]. She received a telephone call at her residence from her [redacted] ([redacted]) telling her to come to the house because Ms. [redacted]' [redacted] [redacted]) telephoned the police on Suspect Brown. When she arrived at the residence's back door, she heard Suspect Brown screaming out, so she bypassed a deputy standing outside and entered the house via the back door. She ran into the kitchen and stood at the living room threshold. Looking at the hallway, and for a one to two second glance, she saw Suspect Brown lying on the floor with a deputy sitting on top of him.

In this one to two second glance, Ms. [redacted] saw that Suspect Brown was not handcuffed. Suspect Brown appeared to be lying in a fetal position on his left side when Ms. [redacted] saw a deputy hit Suspect Brown in his facial area approximately one to three times with a baton. Although Ms. [redacted] was not sure which direction Suspect Brown's face was pointed, she recalled seeing his feet as Suspect Brown tried to block his face with

his hands/arms from being hit by the deputies as he screamed out, "I'm down! Okay, I'm down! You guys got me!" She heard the deputies yell at Suspect Brown to put his hands behind his back and saw the deputies hit Suspect Brown in the face and on his side. A deputy tried to grab Suspect Brown's hand as Suspect Brown turned over while yelling out commands to place his hands behind his back. Ms. [redacted] was then removed from the residence by a deputy. She said approximately three to five deputies were present in the house and they all had their batons out. Ms. [redacted] described the club as black, with a side handle, unknown if wood or metal, and "sheriff's" hold it on their side.

SUSPECT'S STATEMENT

*The suspect was interviewed on three separate occasions during the investigation. Precise wording of the statements may be obtained by reviewing the digitally audio taped interviews and/or the verbatim transcripts listed under the "**Transcriptions**" section.*

Suspect Brown's initial interview was conducted after the incident on June 19, 2008, at 0030 hours, by Compton Station Sergeant Eric Castano. Suspect Brown was interviewed at St. Francis Medical Center on June 19, 2008, at 0145 hours by Compton Station Watch Commander, Lieutenant Anthony Lucia. Later that morning, at 0915 hours, IAB Sergeants [redacted] and Dinah Grote interviewed Suspect Brown at St. Francis Medical Center.

For further, refer to Suspect Brown's verbatim transcript and his medical records (***Exhibit I***) and photographs of his injuries (***Exhibit H***).

MISCELLANEOUS:

The audio recording of the telephone call to Compton Station, the audio recording of the associated radio traffic, the Compton Station supervisors' video of their inquiry, and photographs of the suspect's injuries are contained on the three compact discs in the Miscellaneous Section of the casebook.